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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA *ex rel.* STF,
11 LLC, an organization; STATE OF
CALIFORNIA; *ex rel.* STF, LLC, an
12 organization,

13 Plaintiffs,

14 v.

15 VIBRANT AMERICA, LLC, a Delaware
limited liability company,

16 Defendants.
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Case No. 3:16-cv-02487-JCS

**JOINT UPDATED CASE
MANAGEMENT CONFERENCE
STATEMENT**

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JOINT UPDATED CASE MANAGEMENT CONFERENCE STATEMENT ;
Case No. 3:16-cv-02487-JCS

JOINT UPDATED CASE MANAGEMENT CONFERENCE STATEMENT

Relator STF, LLC (“Relator”), and Vibrant America, LLC (“Vibrant” or “Defendant”), submit this Joint Updated Case Management Conference Statement.

1. **Discovery:** Following the Further Case Management Conference on August 21, 2020, the Court allowed limited discovery to commence, specifically the production of documents and data, and one Rule 30(b)(6) deposition regarding the production of data. (*See* Docket No. 72). The Parties have begun production of documents and data, and Relator has taken the contemplated Rule 30(b)(6) deposition. The Parties agree that the partial stay on discovery (permitting only limited discovery) may be lifted at this time. Based on Relator’s members current and recent business affiliations with competing laboratory facilities with Vibrant, the Parties are meeting and conferring about a possible Attorneys’ Eyes Only (“AEO”) designation for certain confidential information related to Vibrant’s business operations and financial data to be produced by Vibrant.

2. **ADR:** To ensure that both Parties have all information necessary for a productive session, the mediation originally set for September 17, 2020, before Martin Quinn, of JAMS, has been continued to February 4, 2021.

3. **Proposed Case Schedule:** Pursuant to the Court’s order that the parties submit a proposed schedule for the remainder of the case, the Parties have met and conferred and propose the following pre-trial and trial dates:

- Trial Date: February 14, 2022
- Final Pretrial Conference: January 28, 2022
- Last Day to Complete ADR: January 14, 2022
- Last Day to Hear Dispositive Motions: December 17, 2021
- Last Day to File Dispositive Motions: November 5, 2021
- Expert Discovery Cutoff: October 22, 2021
- Initial Expert Disclosures: September 10, 2021
- Fact Discovery Cutoff: July 30, 2021

1 Dated: December 11, 2020

COTCHETT, PITRE & McCARTHY LLP

2 By: /s/ Justin T. Berger
3 JUSTIN T. BERGER
4 BETHANY M. HILL

5 *Attorneys for Relator*

6 Dated: December 11, 2020

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7 By: /s/ Thomas S. Brown
8 LORI A. RUBIN
9 THOMAS S. BROWN

10 *Attorney for Defendant Vibrant America, Inc.*